

IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF OKLAHOMA

DARVIN W. GRAY,

Petitioner,

v.

No. 23-CV-045-JFH-GLJ

CARRIE BRIDGES,

Respondent.

OPINION AND ORDER

Petitioner Darvin W. Gray (“Gray”) filed a motion requesting the Court to appoint counsel. Dkt. No. 12. He bears the burden of convincing the Court that his claims have sufficient merit to warrant such appointment. *McCarthy v. Weinberg*, 753 F.2d 836, 838 (10th Cir. 1985) (citing *United States v. Masters*, 484 F.2d 1251, 1253 (10th Cir. 1973)). The Court has carefully reviewed the merits of Gray’s claims, the nature of factual issues raised in his allegations, and his ability to investigate crucial facts. *McCarthy*, 753 F.2d at 838 (citing *Maclin v. Freake*, 650 F.2d 885, 887-88 (7th Cir. 1981)). After considering Gray’s ability to present his claims and the complexity of the legal issues raised by the claims, the Court finds that appointment of counsel is not warranted. *See Williams v. Meese*, 926 F.2d 994, 996 (10th Cir. 1991); *see also Rucks v. Boergermann*, 57 F.3d 978, 979 (10th Cir. 1995).

Therefore, Gray’s motion for appointment of counsel [Dkt. No. 12] is DENIED.

Dated this 26th day of January 2024.



JOHN F. HEIL, III
UNITED STATES DISTRICT JUDGE